

Abstract and keywords

Acquisition of the right of ownership to a share in a limited liability company from a non-entitled person

The subject of this thesis is the analysis of the institute of the acquisition of the right of ownership from a non-entitled person in relation to a share in a limited liability company. The thesis analyzes the various aspects of the acquisition from a non-entitled person in relation to the share in a limited liability company on the basis of a share purchase agreement. With regard to the forms of shares in a limited liability company, which in addition to a business share may also be represented by a common certificate, the institute of acquisition from a non-entitled person is analyzed in relation to both forms of shares.

The work is based on the identification following by analysis of the main questions, which lead first to find out whether the provisions on acquisition of share from a non-entitled person can be applied. Conclusions will then be applied to each acquisition method according to the relevant provisions on acquisition from a non-entitled person. The thesis is divided into five chapters.

The first chapter is devoted to the legal regulation of the transfer of a share in a limited liability company and provides a basic insight into the regulation of a transfer of a share, both a business share and a share represented by a common certificate.

The second chapter introduces the basic legal regulation for the regulation of the acquisition of the right of ownership from a non-entitled person. Within this chapter, the basic assumptions of acquisition from a non-entitled person will be identified and analyzed. Considering some similarities of the institute of acquisition from a non-entitled person and possession, attention will also be paid to the comparison of these two institutes.

The third chapter defines and analyzes the main tasks of acquiring a share in a limited liability company from a non-entitled person, namely the nature of the share as a subject of law, the commercial register and the principle of good faith.

In the fourth chapter, the conclusions of the third chapter are applied to the provisions on the acquisition of the right of ownership from a non-entitled person and on specific acquisition methods under these provisions. This leads to a determination whether the provisions on acquisition from a non-entitled person may apply to a share in a limited liability company and in what specific acquisition method a share can be acquired under the share transfer agreement.

The fifth chapter is devoted to the evaluation of the legislation *de lege lata* and provides recommendations *de lege ferenda*.

Keywords: share, limited liability company, non-entitled person, the right of ownership